

**To:** McGrath, Shaun[McGrath.Shaun@epa.gov]  
**Cc:** Stanislaus, Mathy[Stanislaus.Mathy@epa.gov]; Natarajan, Nitin[Natarajan.Nitin@epa.gov]; Cheatham, Reggie[cheatham.reggie@epa.gov]; Breen, Barry[Breen.Barry@epa.gov]; Chase, JoAnn[Chase.JoAnn@epa.gov]; Burke, Thomas[Burke.Thomas@epa.gov]; Mitchell, Stacey[Mitchell.Stacey@epa.gov]; Garbow, Avi[Garbow.Avi@epa.gov]; Curry, Ron[Curry.Ron@epa.gov]; Blumenfeld, Jared[BLUMENFELD.JARED@EPA.GOV]; Manzanilla, Enrique[Manzanilla.Enrique@epa.gov]  
**From:** Fritz, Matthew  
**Sent:** Tue 9/29/2015 1:15:31 PM  
**Subject:** RE: comprehensive encapsulation

Shaun,

I think I have the information I need from this and I enjoyed reading it, as well.

**From:** McGrath, Shaun  
**Sent:** Tuesday, September 29, 2015 9:02 AM  
**To:** Fritz, Matthew  
**Cc:** Stanislaus, Mathy; Natarajan, Nitin; Cheatham, Reggie; Breen, Barry; Chase, JoAnn; Burke, Thomas; Mitchell, Stacey; Garbow, Avi; Curry, Ron; Blumenfeld, Jared; Manzanilla, Enrique  
**Subject:** Re: comprehensive encapsulation

We received additional information from S. Ute:

Situation was a bit complicated but here's what Kathi Gurule shared.

LaPlata County closed the river on August 6<sup>th</sup> and posted signs on along the river on both LaPlata County *and* Tribal lands. Southern Ute removed the sheriff's signs on August 7<sup>th</sup> and replaced them with their own signs, closing the river on Tribal lands. LaPlata County Sheriff removed the Tribal notification signs and replaced them with LaPlata County Sheriff signs. This happened several times before Tribal officials contacted the LaPlata County Sheriff, who is apparently new to his position, and informed him he didn't have jurisdiction of Tribal portions of the river.

On August 14<sup>th</sup> Southern Ute reopened the river for recreational purposes only.

On August 21<sup>st</sup>, Southern Ute lifted remaining restrictions.

There are no water use restrictions currently in place on Tribal lands. Kathi also reiterated that Southern Ute did not close any ditches because all ditches are privately owned.

Sent from my iPad

On Sep 28, 2015, at 6:16 PM, Fritz, Matthew <[Fritz.Matthew@epa.gov](mailto:Fritz.Matthew@epa.gov)> wrote:

Shaun,

Thank you - very helpful.

On Sep 28, 2015, at 7:03 PM, McGrath, Shaun <[McGrath.Shaun@epa.gov](mailto:McGrath.Shaun@epa.gov)> wrote:

Matt,

Here is what we've been able to pull together from jurisdictions within R8.

**August 12, 2015:**

**Colorado Department of Health and Environment notified the City of Durango that public water systems were authorized to open their intake structures.**

<https://www.colorado.gov/pacific/sites/default/files/Drinking-Water-FAQ-09-02-15.pdf>

**August 13, 2015:**

<http://www.deq.utah.gov/Topics/Water/goldkingmine/docs/2015/08Aug/SovSJRData81315.pdf>

## **Utah Department of Health Statement of Data Evaluation**

Estimated recreational exposure dosages fall below health-based guidelines for these contaminants. Therefore, the EEP currently finds that exposure to the contaminants of the San Juan River tested on August 10th, 2015 by UDEQ are not expected to result in adverse health effects for people recreating in the waters, nor for livestock or crops watered by the San Juan River. The EEP does recommend that recreational users carry their own drinking water and not rely on filtering or purifying river waters.

**August 14, 2015:**

### **Update on Local Response to Gold King Mine and Animas River Impacts - Sheriff Smith Opens Recreation on the River in La Plata County**

[https://www.colorado.gov/pacific/sites/default/files/Animas\\_Sheriff\\_Openes\\_River.pdf](https://www.colorado.gov/pacific/sites/default/files/Animas_Sheriff_Openes_River.pdf)

Based on this statement from the state health department, Sheriff Sean Smith has made the decision to open the river to recreational use with the attached health advisory from the state health department. Sheriff Smith said, "My primary concern is the public health and safety of our community. In an abundance of caution, with the consultation of all our partner agencies, I issued the order to close the river to recreational uses on Thursday, August 6. With the release of preliminary results from the state health department and its accompanying recommendation, I am opening our river for recreation effective Friday, August 14, 2015 at noon with the health advisory."

### **San Juan County concurrence w/CDPHE on lifting recreational restrictions**

[https://www.colorado.gov/pacific/sites/default/files/Animas\\_River\\_Closure\\_Poster.pdf](https://www.colorado.gov/pacific/sites/default/files/Animas_River_Closure_Poster.pdf)

The Colorado Department of Public Health and Environment has collected and analyzed water quality and sediment from the Animas River. The data indicates that the river has returned to stable conditions that are not a concern for human health during typical recreational exposure. There will be some discoloration of the water when the sediment is disturbed, this discoloration does not pose an immediate health risk. The San Juan Basin Health Department concurs with the state health department findings, and advises that there are no adverse health effects from exposure to the water and sediment during normal recreational use (incidental or limited exposure). The San Juan Basin Health Department advises the public to avoid areas with orange sediment or discolored standing water. Further, anyone coming in contact with any orange sediment or discolored standing water should wash with soap and water.

**Statement from Liane Jollon, San Juan Basin Health Executive Director regarding the Animas River reopening and health advisory**

<http://sjbhd.org/public-health-news/gold-king-mine-incident/>

San Juan Basin Health cares about your health and we acknowledge our responsibility to protect you. We believe the EPA, The Federal Agency for Toxic Substance and Disease Registry, the Colorado Department of Public Health and Environment have all combined forces with local independent experts and community non-profits. Together there was a rigorous process to ensure your health and safety. Right now I have complete confidence in this decision. Local public health is loyal only to getting it right for you. We will continue to follow this issue very closely. Through the recovery you will continue to hear from us. We cannot do this without you. Please let us know what you need and what your concerns are through our website [www.sjbhd.org](http://www.sjbhd.org).

**Animas River Health Advisory (*Issued in Conjunction with Colorado Department of Public Health and Environment*)**

<http://sjbhd.org/animas-river-health-advisory/>

The San Juan Basin Heath Department concurs with the state health department findings, and advises that there are no adverse health effects from exposure to the water and sediment during normal recreational use (incidental or limited exposure). The San Juan Basin Heath Department advises the public to avoid areas with orange sediment or discolored standing water. Further, anyone coming in contact with any orange sediment or discolored standing water should wash with soap and water.

**September 28, 2015:**

San Juan County Public Health Department

<http://www.sanjuancountycolorado.us/>

Public Health Advisory Remaining in Effect: It is strongly advised to refrain from contact with Cement Creek and the Animas River below the confluence of Cement Creek until further notice.

**Ute Mountain Ute** – Scott Clow, Env. Dir., confirmed that they have kept their portion of the San Juan River closed “for cultural reasons as much as scientific

reasons.” Their primary concern is for livestock that are currently on summer pasture but will be returning soon and will drink from the river, and for wildlife (deer that they may harvest).

**S. Ute** -- Kathi Gurule, the Incident Commander for the Southern Ute Indian Tribe for the Gold King Mine Incident, reported that there are no current restrictions in place for accessing the Animas River.

**From:** Fritz, Matthew

**Sent:** Monday, September 28, 2015 1:13 PM

**To:** Stanislaus, Mathy; Natarajan, Nitin; Cheatham, Reggie; Breen, Barry; Chase, JoAnn; Burke, Thomas

**Cc:** Mitchell, Stacey; Garbow, Avi; McGrath, Shaun; Curry, Ron; Blumenfeld, Jared; Manzanilla, Enrique

**Subject:** comprehensive encapsulation

Good afternoon everyone,

Thanks to Jared, Enrique and others from Region 9 we have put together a draft of the various activities associated with the Navajo.

Please take a look – if there are elements you can provide additional information please do. An area that I can use assistance is the one I mentioned earlier – the timeframe in which jurisdictions lifted restrictions.

Also, Tom B – I could use some guidance on the water column piece – essentially understanding what we might know at this juncture as to what happened with the sediments and constituents in the water column as the plume moved downstream.

Thanks.

